

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DEBRA HATTEN-GONZALES, et al.,

Plaintiffs,

v.

**BRENT EARNEST, Secretary of the
New Mexico Human Services Department,**

Defendant.

**No. CIV 88-385 KG/KBM
Consolidated with
No. CIV 88-786 KG/KBM**

**JOINT MOTION TO APPROVE AND ADOPT
REVISED MODIFIED CONSENT DECREE**

The parties in this case, having reached agreement as to the terms and conditions of a revised consent decree, hereby move this Court to approve, adopt and order the Revised Modified Settlement Agreement filed contemporaneously with this motion. In support of this motion, the parties show:

1. The Revised Modified Settlement Agreement/Consent Decree is the product of many months of negotiations in good faith between the parties.
2. The Revised Modified Settlement Agreement/Consent Decree updates the current Consent Decree and replaces it entirely.
3. Plaintiffs' counsel believe that this Court's approval, adoption and ordering of the Revised Modified Settlement Agreement/Consent Decree is in the best interests of the Plaintiff class in this case. Defendant's counsel believes that this Court's approval, adoption and ordering of the Revised Modified Settlement Agreement/Consent Decree is in the best interests of the Human Services Department of the State of New Mexico.

Therefore, the parties jointly request that this Court:

- a. approve, adopt and order the Revised Modified Settlement Agreement/Consent Decree filed contemporaneously with this motion;
- b. order that the parties, their officers, agents, servants, employees and attorneys, and those persons in active concert with them who receive actual notice of the Revised Modified Settlement Agreement/Consent Decree be restrained from violating its terms, conditions and undertakings; and
- c. retain jurisdiction over this matter to enforce the terms, conditions and undertakings of the Revised Modified Settlement Agreement, and its of the Revised Modified Settlement Agreement/Consent Decree.

Respectfully submitted,

/s/ **SOVEREIGN HAGER**

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CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of August, 2018, I filed the foregoing pleading electronically with the United States District Court, causing the same to be electronically served on opposing counsel:

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/s/ DANIEL YOHALEM

Daniel Yohalem